

organizations, etc., we recommend that a special committee of five be appointed by the President to make a careful investigation of the matter and make a detailed report on the same at the next annual meeting of the Society, with recommendations as to action; this committee to work with and through the different County Societies. (Carried.)

6. We recommend the adoption of the suggestion of the Council that the annual assessment and subscription price of the JOURNAL be left to the Council with the proviso that the amount shall not be in excess of three dollars (\$3.00) per member, exclusive of the assessment for Medical Defense; and also that the Council be authorized to make such changes as may be required by the Postoffice. (Carried.)

7. We recommend that the reports of the Secretary and Editor be adopted and that we express our appreciation of his efforts to bring the Society and the JOURNAL to their present financial condition and efficiency. (Carried.)

8. We recommend the adoption of the resolutions on expert testimony. (Carried.)

9. We recommend the adoption of the resolution on Bubonic Plague conditions. (Carried.)

10. We recommend the adoption of the amendment of Article VI, Section 5, changing "shall" to "may." (Carried.)

11. We recommend the adoption of the amendment to Article VI, Section 2. (Carried.)

12. We recommend the endorsement of the A. M. A. resolution in reference to the National Food and Drugs Act. (Carried.)

13. We endorse the Owen's bill for the establishment of a Department of Public Health and recommend that our Senators be so informed by the Secretary. (Carried.)

(Signed) H. BERT. ELLIS,  
STANLEY STILLMAN,  
W. J. G. DAWSON.

Each of the foregoing sections, with the attached recommendations, was adopted as presented, and then the report and recommendations were unanimously adopted as a whole.

The following resolution was presented by A. W. Hoisholt and on motion adopted:

*Resolved*, That the Medical Society of the State of California authorize its committee on legislation to consult with the legislative committee of the Bar Association of the State of California and the Juvenile Court Association, requesting them to co-operate in the drawing of a bill or bills to be presented to the next Legislature authorizing Superior Judges to commit drug habitues and inebriates in a similar manner to the method used in committing, confining and treating the insane.

And we further recommend that the state provide a suitable hospital or hospitals for the expert care and treatment of these patients so that they may be given the best chance for cure, thus preventing the crimes and the degeneracy in their offspring which result from the present inefficient handling of such cases.

The following was presented by T. C. Edwards, and on motion adopted:

*Whereas*, There are many of the citizens of our state who innocently and ignorantly become habituated to the use of alcohol; therefore be it

*Resolved*, By the Medical Society of the State of California, that we believe that the daily use of alcoholic beverages is injurious to the physical well-being of those who use it.

A communication from L. S. Mace, referring to the appointment of a committee of those interested in certified milk, was read and referred to the Council with power to act.

C. G. Kenyon moved that the American Medical Association be cordially invited to hold its next session in Los Angeles. Seconded and carried.

C. D. Lockwood moved the thanks of the Society be extended to the citizens of Sacramento for their courtesy and the very great attention to the entertainment of our members, and that the thanks of the Society be extended to the Sacramento Society for Medical Improvement. Seconded and carried.

The minutes of the second session were read and approved.

There being no further business, the House of Delegates adjourned sine die.

PHILIP MILLS JONES,  
Secretary.

## REPORT OF THE CALIFORNIA STATE BOARD OF MEDICAL EXAMINERS.

By J. HENRY BARBAT, M. D., San Francisco.

The Board convened on May 21, 1909, and elected the following officers: Drs. Geo. F. Reinhardt, President; D. L. Tasker, Vice-President; Chas. L. Tisdale, Secretary, and Chas. Clark, Treasurer.

The first examination took place Aug. 3rd, 1909; 141 applicants took the examination, of which 92 passed and 49 failed; 83 were graduates from California colleges, 58 passing and 25 failing.

The second examination took place Dec. 7th, 1909; 97 applicants took the examination, of which 66 passed and 31 failed; 38 were graduates from California colleges; 25 passed and 13 failed.

The third examination took place April 5th, 1910; 90 applicants took the examination; the reports are not yet in as to the number that passed or failed.

Comparing the figures of the present Board with the Board of last year, we find that they are practically the same in regard to the percentage of those passing, the proportion being about 67 per cent, for instance:

In April, 1909, 71 applicants took the examination, of which 48 passed; 23 failed.

In August, 1909, 141 applicants took the examination, of which 92 passed; 49 failed.

In December, 1909, 97 applicants took the examination, of which 66 passed; 31 failed.

April, 1909, 68 per cent passed.

August, 1909, 65 per cent passed.

December, 1909, 68 per cent passed.

Average for the year, 67 per cent.

A new rule adopted by the board has resulted in general satisfaction; that is, while formerly the questions given were the individual work of each examiner, the present board has adopted the rule that all questions shall be presented to the entire board for their consideration, and therefore, every question asked is sanctioned by the entire board. Also, twelve questions are given on each subject from which the applicant may select any ten to be answered.

Some question has been raised regarding the policy of the board in reference to the prosecution of illegal practitioners.

While there have been sporadic efforts to prosecute those who practiced medicine in this State without having secured a license to do so, there has never been any systematic work in this direction. Individual effort in various places, notably San Francisco, some years ago, Los Angeles and San Jose and some other places, has resulted in the conviction of some few individuals for this offense. But never has an attempt been made to cover the whole State or to create machinery covering the whole State which would tend to prevent unlicensed persons from practicing any form of the healing art. Up to August, 1907, local or county prosecuting officers were supposed to do this work; but they never did. After 1907, it became the duty of the Board of Medical Examiners to prosecute violators of the law. But the board was burdened with a duty and not provided with funds with which to perform it. In Los Angeles a member of the board, Dr. Mattison, and in San Jose another member of the board, Dr. Cothran, did excellent work in prosecuting such offenders; but it was merely sporadic and after a time the effort ceased; personal energy is soon exhausted in what is really not one's particular business.

Viewing the situation broadly, one finds two forms of quack. The worst is the physician who has obtained a license and has then prostituted his profession by engaging in open and shameless advertising quackery. Of this type may be cited Chamlee, the notorious advertiser of "cancer cure," and Arberry, a mere tool of Joslyn or Jocelin, whose license was revoked in 1905. A great many complaints come to us regarding advertising quacks, and upon investigation it is found that the individual complained of is a licentiate and is advertising in such a way that he cannot be reached. In the case of Chamlee, for instance, the attempt was made to revoke his license and the case appealed to the Supreme Court; but the decision was adverse to the board and Chamlee is allowed to go his deadly way without interference. Many of those who complain, do not understand this condition of things and feel aggrieved that the board does not stop such quackery. Another notorious quack is "Fer Don," who always has some licensed physician with him to do the prescribing, operating, etc. Once or twice we have almost had enough evidence to convict Fer Don, but the patients would not testify.

A lesser evil is found in those who are quietly

practicing medicine without a license, and of these there are doubtless a good many in the State. After giving the matter a good deal of attention the board concluded to see if a plan could not be developed which might be applied all over the State to the detriment of this form of illegal practice. The proposition is by no means a simple one, however, when you consider that for the 34 years that we have had a medical law, no systematic effort has been made in this direction. Judges do not know the law or the decisions, and most attorneys and prosecuting officers are in the same fix. A considerable piece of machinery has got to be constructed from the very bed-plates up. Our attorney is now at work upon this plan and has in preparation a monograph which will quickly explain to judge and local lawyer exactly what is the law, where each point has been sustained, what form of procedure is permissible and what is not, what evidence may be admitted and what excluded, and each point with its various references and citations of decisions. It is proposed to have, eventually, in each county and in each considerable community, an attorney who will be thoroughly posted on the law and the procedure, to watch out for violations of the law. It is also proposed to ask the next Legislature for an appropriation to cover this work, and we have a reasonable hope of securing such an appropriation. But all of this takes time and thought and a good deal of work, so it will probably be some months before any progress is noticeable. There are a good many common errors and it takes time to correct them. For instance, most lawyers and nearly all doctors think that it is necessary to prove that a man has not a license. That is not the case; it is not the duty of the board to prove anything of the sort. The Supreme Court has decided that the accused must prove that he has a license, if he holds one, and the prosecuting officer or the board is not required to produce the records of the board to show that a license was not issued. This leads to some confusion and at times to a feeling that the board is negligent when such is not the case.

It sounds simple to say "Prosecute," but when you undertake to study the matter fully and look over the whole situation it does not appear to be so simple a matter. We are confident, however, that we are now on the right track and that eventually the machinery will be in operation which will exclude all those who have not the necessary qualification to practice, from so doing.

At the December meeting in Los Angeles the board decided to retain the services of W. W. Kaufman, of the firm of Stratton & Kaufman, of San Francisco, for the purpose of prosecution of illegal practitioners. Mr. Kaufman has been busily engaged since that time in perfecting a number of cases which we hope very soon to be able to prosecute, with a fair hope of winning.

Some comment has also been made regarding the amount of money expended by the board. The following will give an idea of the regular annual expenses of the Board of Examiners.

Secretary .....	\$1200
Clerical Assistance .....	900
Rent .....	360
Telephone .....	75
Printing and Postage.....	250
Towel Service .....	9
Per diem and Traveling Expenses of Members	2310
Watchers for examination.....	200
Rent for Halls for examination.....	300
Janitors, Expressage, etc.....	105
Paper for examination.....	300
Advertising of Meetings.....	100

**\$6109**

Following figures will show the moneys received and disbursed by the board since the new medical law went into effect:

Receipts from May 1, 1907, to Dec. 31, 1907.....\$4987.35  
Disbursements from May 1, 1907, to Dec. 31, 1907.. 4350.83

Bal. on hand Dec. 31, 1907.....\$ 636.52  
Receipts from Jan. 1, 1908, to Dec. 31, 1908.....\$7614.05  
Disbursements from Jan. 1, 1908, to Dec. 31, 1908.. 6295.67

Bal. on hand Dec. 31, 1908.....\$1954.90  
Receipts from Jan. 1, 1909, to Dec. 31, 1909.....\$7458.25  
Disbursements from Jan. 1, 1909, to Dec. 31, 1909.. 7562.38

Bal. on hand Dec. 31, 1909.....\$1850.77

The following amounts were received and disbursed on account "penalty for illegal practice":

Receipts May 1, 1907, to Dec. 31, 1907.....None  
Disbursements May 1, 1907, to Dec. 31, 1907.....\$ 740.00  
Receipts from Jan. 1, 1908, to Dec. 31, 1908..... 1198.25  
Disbursements from Jan. 1, 1908, to Dec. 31, 1908.. 649.40  
Receipts from Jan. 1, 1909, to Dec. 31, 1909.....None  
Disbursements from Jan. 1, 1909, to Dec. 31, 1909.. 1001.77  
From May 1, 1907, to Dec. 31, 1909, disbursements exceed receipts by the following amount.....\$1192.92

The following are some examples of answers to simple questions at the last examination:

Septic Tank is used as a filter and prevents and separates the anarobic bacteria from the arobic bacteria, and the water which goes through this tank can be utalized without fear of confirmation. No. 1 T contains the anarobic bacteria and can be cleaned out from time to time. No. 11 T contains the arobic bacteria and can also be cleaned out. I am *coating* Egberth Hygiene.

The first tank contains aerobic bacteria and the second anaerobic bacteria, consequently neither can live.

A septic tank is one where refuse matter fluids, feces, serrage, lodge and decays. Open to contamination, and disease. It is from a curve or coil in the pipes.

The white matter of the brain has the appearance under the scope of a homogeneous mass not so many cells and much granular matter and seems to be a protective to the gray apparently.

And inhabits the small intestine where it sets up its method of propagation.

The epithelium do not match up well, forming pseudo cripts.

Markings of a *liar* on its back. Mosquito.

Syphillus Sypalus for syphilis. Anis for Anus. Hucklets for Hooklets. Gall ducks for Gall ducts. Fischers for fissures. Pillows of faucies. Hematically tight for Hermatically tight. Anklyosis Stomatis for Ankylostomiasis.

It is a very doey organ. Oxogenises the blood.

Oxogen factory for the body (lung). Glucose Factory (liver).

The organs of degeneration.

The tuberculous patient should not kiss any of his relatives.

### AUDITOR'S REPORT.

January 28, 1910.

Medical Society of the State of California,  
San Francisco, Cal.

We beg to report that we have examined the accounts of the Society kept by your Secretary for the year ended December 31, 1909. The receipts and disbursements for that period have been as follows:

#### RECEIPTS.

County Societies and subscriptions....	\$5,773.00
Journal advertisements .....	4,433.01
Journal miscellaneous .....	64.15
Office Expense:	
Rent from San Francisco Society.....	215.00
Miscellaneous—reprints, etc. ....	44.90
Loans—sundry persons .....	2,000.00
Society expenses .....	1.05
Binders .....	138.90
<b>Total .....</b>	<b>\$12,670.01</b>

#### DISBURSEMENTS.

Fixtures .....	\$ 5.11
Journal .....	3,667.00
Interest .....	138.75
Loan repaid .....	2,000.00
Office expenses .....	617.62
Miscellaneous .....	37.50
Salaries .....	4,680.00
Society expenses .....	788.08
Binders .....	150.00
<b>Total .....</b>	<b>\$12,084.06</b>
Excess of receipts over disbursements...	585.95

**\$12,670.01**

As at December 31, 1909, the financial position of the Society was as follows:

#### ASSETS.

Paper in stock .....	\$ 323.90
Fixtures at book cost .....	1,080.49
Due from advertisers .....	348.88
Supplies, stationery, etc.....	75.00
Petty cash .....	200.00
Money in bank—Union Trust Co.....	133.83
<b>Total .....</b>	<b>\$2,162.10</b>

#### LIABILITIES.

Loans .....	\$2,000.00
Interest on notes .....	40.20
Excess of assets over liabilities.....	121.90

**Total .....** **\$2,162.10**

We have seen vouchers for all disbursements and have compared the receipts on account of the JOURNAL with all the advertisements which have appeared during the last twelve months. The final balance in bank has been duly verified.

(Signed) McLAREN, GOODE & CO.,  
Certified Public Accountants.